HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 4271 OF 2006

DATED: 6.3.2006

Between:

Model Chit Corp.Ltd

… Petitioner

and

Regional Provident Fund Commissioner

… Respondent

HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.4271 OF 2006

ORAL ORDER:

-

No case is made out for interference with the impugned order of attachment of immovable property of the petitioner by the respondents vide proceedings No.AP/28956/R.Cell/Rc.No.24/2005/426 dated 29.9.2005.

Admittedly, a Recovery Certificate No.24/2005 dated 27.4.2005 has been issued, under the provisions of Section 8-B of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (for short 'the Act') pursuant to an assessment, followed by an order under Section 14-B of the Act. The petitioner admittedly failed to clear the demand.

Hence, the impugned order has been issued in legitimate exercise of statutory powers. No case is made out for interference. The writ petition is dismissed. The petitioner is however at liberty to submit a representation, invoking the statutory discretion of the Provident Fund authorities. No order as to costs.

GODA RAGHURAM, J

Date: 6.3.2006

cvm